

# **THE OFFICE OF HISTORIC ALEXANDRIA**

## **CODE OF ETHICS**

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# THE OFFICE OF HISTORIC ALEXANDRIA

## CODE OF ETHICS

### PREFACE

The Office of Historic Alexandria (OHA), a department within the government of the City of Alexandria, consists of the administrative unit and the following eight institutions: Alexandria Archaeology, Alexandria Black History Museum, Archives and Records Management, Fort Ward Museum and Historic Site, Friendship Firehouse, Gadsby's Tavern Museum, The Lyceum, and the Stabler-Leadbeater Apothecary Museum. The City Council, elected by the citizens, forms the trustee body and acts as the governing authority. All staff report through the Director (department head) to the City Manager, who has been authorized by City Council to perform certain functions of the government. This Code specifically applies to all who work for and on behalf of the Office of Historic Alexandria, including the governing authority, employees within the Office of Historic Alexandria, and volunteers. The Code is put forth with the intent that the governing authority, staff and volunteers carry out their roles and responsibilities legally, ethically and effectively.

The role of the Office of Historic Alexandria is that of responsible stewardship of resources held in the public trust for the historic City. This responsibility includes the preservation of historic sites, archaeological sites, artifacts and records, and the use of these resources in accordance with professional practices and standards of scholarship.

The goal of the administration and eight institutions that comprise the Office of Historic Alexandria is to enhance the quality of Alexandria's urban environment for its residents by building a sense of community identity and continuity; by maintaining the City owned and operated museum system; by acquiring, protecting and preserving historic buildings, archaeological and historic sites, archives, records, collections and artifacts significant to the heritage of the City; by preserving and interpreting the historic cultural diversity of the City; and by supporting artistic expression. These significant contributions promote the City's national and international reputation. People and businesses are drawn to Alexandria as an attractive location in which to live, work, and play.

In order to properly fulfill the mandates of a museum system founded on public trust, it is imperative that all who work for and on behalf of the Office of Historic Alexandria understand, comply with, and be governed by a Code of Ethics. Ethics is a body of moral principles that permits judgments as to what is right and what is wrong in human conduct. This document enumerates the principles to be followed for maintaining public trust. It also establishes that the City of Alexandria and its Office of Historic Alexandria is committed to public accountability and is transparent in its mission and operations.

The staff of the Office of Historic Alexandria are employees of the City of Alexandria and are governed by the *City of Alexandria, Virginia, Employee Handbook* and the Administrative Regulations (AR's) established by the City. Prepared by members of the staff of the Office of

Historic Alexandria, this departmental Code of Ethics enhances these regulations with standards relating to the intellectual and cultural role of the Office of Historic Alexandria institutions. The major sources were codes of ethics of professional organizations to which the staff belong. These include: the American Association of Museums, the American Association for State and Local History, the Society of Professional Archaeologists, the Society of American Archivists. In addition, specific federal statutes were consulted, especially those regulations dealing with the Native American Graves Protection and Repatriation Act (NAGPRA).

The Drafting Committee will serve in an advisory capacity to the Office of Historic Alexandria, regarding the Code of Ethics and any future modifications. The Director of the Office of Historic Alexandria will, annually, appoint a special committee to review any ethical issues. This committee will offer advice as well as review any breach of this Code of Ethics. There will be three (3) members of this committee nominated by any member of the Office of Historic Alexandria. As part of the orientation of all new employees, supervisors will fully discuss the importance of the issues in this Code of Ethics and will provide the employee with a copy of the Code of Ethics.

For the purposes of this document, the word “artifact” refers to historic objects, objects of art or material culture, or materials of archival significance.

## **I. GOVERNANCE**

Through the Office of Historic Alexandria, the City of Alexandria governs historic properties, sites, objects, archives and information in various forms, as a public trust. It protects and enhances collections and programs, as well as their physical, human, and financial resources. It ensures that these resources support each institution’s mission, responds to the pluralism of society, and respects the diversity of the national and cultural commonwealth.

Thus, the City of Alexandria ensures that:

1. All those who work for or on behalf of the Office of Historic Alexandria understand and support its mission and public trust responsibilities;
2. Office of Historic Alexandria personnel understand and fulfill their trusteeship and act corporately, not as individuals;
3. The Office of Historic Alexandria’s collections, programs, and its physical, human, and financial resources are protected, maintained, and developed in support of OHA’s mission;
4. The Office of Historic Alexandria is responsive to and represents the interests of the citizens;

5. Working relationships among all who work for, or on behalf of, the Office of Historic Alexandria including employees, elected and appointed officials, and volunteers are based in equity and mutual respect;
6. Professional standards and practices inform and guide Office of Historic Alexandria operations;
7. Office of Historic Alexandria policies are articulated, and prudent oversight is practiced;
8. Office of Historic Alexandria governance promotes the public good, rather than individual gain.

## II. GUIDING PRINCIPLES

OHA's Guiding Principles are directly aligned with those established by the City of Alexandria in 2010:

*Ethical Behavior* – We act ethically by putting the public interest first, communicating openly, and consistently demonstrating professional integrity.

*Innovation* – We are not satisfied with the *status quo*; we value creativity and well-considered risk-taking as means to achieve organizational success.

*Leadership* – We have the courage and energy to step outside the existing culture, to start evolutionary, meaningful and sustainable change by creating new realities and moving people to purposeful action in order to overcome political, bureaucratic and resource barriers.

*Professionalism* – We are capable, lifelong learners, who model the competencies associated with our field, specialty or area of expertise.

*Respect* – We will avoid drama by exhibiting civility, empathy and restraint.

*Responsibility* – We are accountable, take ownership, and are receptive to feedback, whether favorable or unfavorable, in everything we do.

*Teamwork* – We work cooperatively in a collegial and supportive manner to meet common goals.

Grouped by content and delivery, our guiding principles provide the framework and boundaries of the Office of Historic Alexandria administration, institutions and related educational experiences. These experiences will involve archaeology, history or pre-history, historic preservation, public records or archival preservation. The result will be an authentic, creative and imaginative environment for lifelong learners, delivered in an aesthetically pleasing manner.

### **III. STANDARDS OF PERFORMANCE**

Those who work for or on behalf of the Office of Historic Alexandria with its affiliate institutions are entrusted with the historical, archival, cultural, archaeological, and artistic wealth of the City of Alexandria and, respectively, the Commonwealth of Virginia. It is therefore incumbent that those employed in these disciplines comply with local, state, and federal laws, and with applicable international conventions in carrying out their responsibilities to the community that they serve. They must maintain the highest level of professional integrity in all matters legal and ethical in order to elicit the complete confidence of the public.

Thus, the following Standards of Performance ensure that:

#### **Responsibility to the Public**

1. The staff of the Office of Historic Alexandria is committed to providing responsible and professional care for the collections they hold in trust for the City of Alexandria, its citizens, and the public at large. The staff maintains authenticity and accuracy in all research, programming, and promotional matters, and fulfills their trusteeship corporately, not as individuals.
2. The staff of the Office of Historic Alexandria does not knowingly compromise its public trust by acquiring for a personal collection, any artifact relating to the City of Alexandria without first giving the City the option to first acquire the artifact. Staff does not store personal collections on an institution's property or conduct research on personal collections on City time.
3. The staff of the Office of Historic Alexandria supports and complies with the terms of the UNESCO Convention in prohibiting and preventing the illicit import, export, and transfer of ownership of cultural property, and will comply with NAGPRA where applicable. The staff will not compromise the integrity of archaeological resources by excavation, metal detecting or other forms of collecting on archaeological sites for personal gain.
4. The staff of the Office of Historic Alexandria does not knowingly engage in conduct involving dishonesty, fraud, deceit, or misrepresentations regarding any professional matter in which they are involved, nor will the staff knowingly make a false statement. Staff will not give a professional opinion or make a public report without being thoroughly informed. Likewise, staff does not perform appraisals or prepare written authentications for the public.
5. The staff of the Office of Historic Alexandria serves the public in an impartial and fair manner and, insofar as possible, will comply with all reasonable requests for information.
6. The staff of the Office of Historic Alexandria does not use confidential information for personal advantage, nor participate in research that does not comply with appropriate professional standards.

7. As a natural adjunct to the positions they hold, staff of the Office of Historic Alexandria are encouraged to continue to increase their knowledge, levels of understanding, and familiarity with artifacts and their care, in the area of the City's culture for which they are responsible.

### **Responsibilities to Colleagues/Departments/Governing Agencies**

1. Those who work for or on behalf of the activities associated with the Office of Historic Alexandria, understand, are committed to, and support its mission and public trust responsibilities.
2. The staff of the Office of Historic Alexandria is sensitive to and has respect for the legitimate concerns of others.
3. The staff of the Office of Historic Alexandria gives appropriate credit for work done by others.
4. The staff of the Office of Historic Alexandria does not intentionally, falsely, or maliciously injure the reputation of anyone with whom they are associated.
5. Relationships with volunteers and support of organizations are important to the success of the institutions within the Office of Historic Alexandria. As such, the staff makes every effort to cultivate a broad base of citizen support, recognizing that these relationships are to be based upon a mutual respect, and for the good of the institution.
6. Professional activities may require involvement with groups, boards, and commissions within the community. Therefore, staff of the Office of Historic Alexandria recognizes these activities as necessary obligations of their positions that extend beyond normal working hours. When staff participates in these activities in an official capacity, they are compensated.
7. All research, documentation and writing, in any form, obtained or created by an employee with the scope of, or in furtherance of, his or her employment activities, becomes the property of the City, and is retained with the institution of origin in accordance with the Alexandria City Code (Sec. 2-6-10) and the Virginia Public Records Act (Sec. 42.1-66).
8. All staff of the Office of Historic Alexandria authorized to spend funds allocated for specific institutions should do so with honesty, and with regard only to the best interest of that respective institution. The staff will not accept gifts, favors, loans, or other remuneration from individuals and/or businesses doing business with the City and will be governed by the City's Administrative Regulation in this manner.

9. Staff of the Office of Historic Alexandria will ensure that any fundraising conducted on behalf of their institution, whether undertaken by staff, an auxiliary organization or volunteers will be conducted in an honest and forthright manner. All contributions, whether cash or services, should not be solicited with the promise of opportunity or advantage offered to the donor. All contributions must be used for the donor's intended purpose.
10. All outside employment must be approved in advance by the Director of the Office of Historic Alexandria and must meet the requirements of the City's Administrative Regulation on outside employment.
11. Staff members of the Office of Historic Alexandria may not use regular work hours for preparing materials related to employment activities for publication if those materials are to be published for private monetary gain. Staff may not use regular work hours for preparing non-City related materials for publication. For regulations addressing intellectual property and outside employment, staff should refer to AR- 6-1, Section VII, C and E.
12. Fees or honoraria accepted by staff of the Office of Historic Alexandria for lectures or writings on employment-related subjects prepared or conducted during regular work hours are depositions into the appropriate City account for their institution. When staff conducts these activities on personal time, they are encouraged to deposit a percentage of fees or honoraria into the appropriate account for their institution.
13. Staff members of the Office of Historic Alexandria may expect that their professional judgments will be heard and respected by the Director of the Office of Historic Alexandria, the City Manager, and City Council; and in return for such recognition, the staff members will likewise respect the expressions and decisions of these entities.

#### **IV. COLLECTIONS**

##### **Acquisition of Artifacts**

1. Artifacts accepted and acquired by the Office of Historic Alexandria must meet the conditions stated in the accepting institution's collection policy. Institutions of the Office of Historic Alexandria recognize the collecting sphere of other organizations within Alexandria. Staff members of the Office of Historic Alexandria abide by their institution's collection policy in all matters.
2. Artifacts in the custody of the Office of Historic Alexandria are cared for in keeping with professional standards and in accordance with the procedures stated in the institution's collections policy.

##### **New Acquisitions**

1. The Office of Historic Alexandria will:

- a. Rigorously research the provenance of an object prior to acquisition,
  - b. Make a concerted effort to obtain accurate written documentation with respect to the history of the object, including export and import documents, and
  - c. Require sellers, donors, and their representatives to provide all available information and documentation.
2. The Office of Historic Alexandria will comply with all applicable U.S. law, including treaties and international conventions of which the U.S. is a party, governing ownership and title, import and other issues critical to acquisitions decisions.
3. Beyond the requirements of U.S. law, the Office of Historic Alexandria shall not acquire any object that, to the knowledge of the institution, has been illegally exported from its country of modern discovery or the country where it was last legally owned. Each Office of Historic Alexandria institution will also require documentation that the object was out of its probable country of modern discovery by November 17, 1970, the date on which the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property was signed.
4. For objects exported from their country of modern discovery after November 17, 1970, the Office of Historic Alexandria will require documentation that the object has been or will be legally exported from its country of modern discovery, and legally imported into the United States.

### **Unlawful Appropriation of Objects during the Nazi Era**

The Office of Historic Alexandria will take all reasonable steps to resolve the Nazi-era provenance status of objects before acquiring them for the collections of each museum, whether by purchase, gift, bequest, or exchange.

1. Standard research on objects being considered for acquisition should include a request that the sellers, donors, or estate executors offering an object provide as much provenance information as they have available, with particular regard to the Nazi era.
2. Where the Nazi-era provenance is incomplete or uncertain for a proposed acquisition, the Office of Historic Alexandria should consider what additional research would be prudent or necessary to resolve the Nazi-era provenance status of the object before acquiring it. Such research may involve consulting appropriate sources of information, including available records and outside databases that track information concerning unlawfully appropriated objects.
3. In the absence of evidence of unlawful appropriation without subsequent restitution, the Office of Historic Alexandria may proceed with the acquisition. Currently available object and provenance information about any covered object should be made public as soon as practicable after the acquisition.



4. If credible evidence of unlawful appropriation without subsequent restitution is discovered, the Office of Historic Alexandria should notify the donor, seller, or estate executor of the nature of the evidence and should not proceed with acquisition of the object until taking further action to resolve these issues. Depending on the circumstances of the particular case, prudent or necessary actions may include consulting with the City Attorney or other qualified legal counsel and notifying other interested parties of the museum's findings.
5. Under certain circumstances, acquisition of objects with uncertain provenance may reveal further information about the object and may facilitate the possible resolution of its status. In such circumstances, the Office of Historic Alexandria may choose to proceed with the acquisition after determining that it would be lawful, appropriate, and prudent and provided that currently available object and provenance information is made public as soon as practicable after the acquisition.
6. The Office of Historic Alexandria will document research into the Nazi-era provenance of acquisitions.
7. Consistent with current practice in the museum field, the Office of Historic Alexandria will publish, display, or otherwise make accessible recent gifts, bequests, and purchases, thereby making all acquisitions available for further research, examination, and public review and accountability.

### **Existing Collections**

In order to advance further research, public trust, and accountability, the Office of Historic Alexandria will make available the known ownership history of archaeological material and ancient art in its collections, and make serious efforts to allocate time and funding to conduct research on objects where provenance is incomplete or uncertain.

### **Claims**

The Office of Historic Alexandria will respectfully and diligently address ownership claims to antiquities and archaeological material. Each claim, whether based on ethical or legal considerations, will be considered on its own merits.

When appropriate and reasonably practical, the Office of Historic Alexandria will seek to resolve claims through voluntary discussions directly with a claimant or facilitated by a third party.

### **Fiduciary Responsibilities**

Members of the governing authority, staff, and volunteers who participate in the acquisition and management of the collections should be knowledgeable concerning the legal compliance requirements and ethical standards that pertain to antiquities and archaeological materials, as well as the collecting policies and disclosure practices of the Office of Historic Alexandria.

## **Deaccessioning and Disposing of Artifacts**

The following gives special consideration to the issue of deaccessioning. The Office of Historic Alexandria's role as the custodian of artifacts is a public trust inherent in the Department's obligation to preserve and interpret Alexandria's heritage; therefore, any decision regarding the permanence of artifacts in the collections is particularly important.

1. Artifacts in the collections are retained permanently as long as they continue to be relevant and useful to the purposes and activities of the institution, and if they can be properly stored, preserved, and used. Deaccessioning of artifacts may be considered only when these conditions no longer prevail.
2. Artifacts selected for possible deaccession undergo a rigorous review by that institution's staff, including a waiting period of five years. Once this review process is complete, the list of artifacts slated for disposal is approved by the Director of the Office of Historic Alexandria and the City Council before final deaccession and disposal procedures are implemented.
3. Thus, in considering the alternatives for the disposition of the deaccessioned artifacts, the institution insures that:
  - a. The disposition is in the best interests of the institution, its public constituency, the public trust it represents in owning the collections, and the academic or cultural communities it also represents.
  - b. Preference should be given to retaining material that is pertinent to the historical, cultural, and archaeological heritage of the City of Alexandria, or respectively the Commonwealth of Virginia.
4. First consideration should be given to placing deaccessioned artifacts in other institutions of the Office of Historic Alexandria prior to offering them to other tax-exempt institutions where they may serve the intent of the donor. Artifacts transferred from one City-owned institution to another City-owned institution are exempt from the five-year review period.
5. If artifacts are ultimately offered for sale elsewhere, the sale should be accomplished through an advertised public auction, or in a manner that will best protect the interests, objectives, and the legal status of the Office of Historic Alexandria and its affiliate institutions.
6. Artifacts should not be given or sold directly to City employees, officers, members of the governing authority, friends, citizen support groups or associations, or to their representatives.

7. Funds derived from the disposal of artifacts through sale will be used solely for the advancement of the mission of the institution, and will be limited to acquisition or conservation of artifacts in the permanent collection.
8. Before disposal procedures are undertaken for any artifact, all reasonable efforts should be made to ascertain that the artifacts are free from restrictions that would prohibit such a transaction. Where restrictions are found to apply, the institution insures that:
9. The artifact(s) to which restrictions apply are not disposed of until all reasonable efforts have been made to comply with the applicable conditions. If practicable and reasonable to do so, the institution should notify the donor of the intended disposal;
10. The restrictions are observed unless a deviation of terms is authorized by a court of competent jurisdiction;
11. If there is any question as to the intent or force of restrictions, the institution should seek the advice of the City Attorney before beginning the deaccessioning process.
12. An adequate record of the conditions and circumstances under which artifacts are deaccessioned and disposed of should be made and retained as part of the institution's collection management records. Records of artifacts that are deaccessioned should include photographs.

### **Public Disclosure**

A written statement of the policy and procedure adopted and followed by the Office of Historic Alexandria institutions with respect to the acquisition and disposition of collection materials may be made available to donors or other responsible persons on request.

### **Truth in Presentation**

It is the responsibility of the staff of the Office of Historic Alexandria to use the artifacts and materials in the City-owned collections for the creation and dissemination of knowledge. Staff must use their best efforts to ensure that exhibits are honest and truthful and are presented with objective expression, especially in the sensitive areas of ethnic and social history. Exhibits must provide an honest and meaningful view of the subject, with candor and tact, and ensure that the resulting presentation reflects no personal bias, but one of total objective judgment.

### **Commercial Use of Collections**

Authorization for the manufacture and sale of reproductions of any artifact in City-owned collections must be approved by the Director of the Office of Historic Alexandria. The staff must ensure that all aspects of the process are carried out in a manner that will not discredit the integrity of the institution or the intrinsic value of the original artifact. All reproductions must be clearly and permanently marked as such.

## **Borrowing Objects**

1. The Office of Historic Alexandria will:
  - a. Ensure that each institution determines that there is a clear connection between the exhibition of the object(s) and the museum's mission, and that the inclusion of the object(s) is consistent with the intellectual integrity of the exhibition.
  - b. Require each institution to examine the lender's relationship to the institution to determine if there are potential conflicts of interest, or an appearance of a conflict, such as in cases where the lender has a formal or informal connection to museum decision-making.
  - c. Include guidelines and procedures to address such conflicts or the appearance of conflicts or influence. Such guidelines and procedures may require withdrawal from the decision-making process of those with a real or perceived conflict, extra vigilance by decision-makers, disclosure of the conflict, or declining the loan.
  - d. Prohibit each Office of Historic Alexandria institution from accepting any commission or fee from the sale of objects borrowed for exhibition. This prohibition does not apply to displays of objects explicitly organized for the sale of those objects — for example, craft shows.

## **Lender Involvement**

The Office of Historic Alexandria will assure that each affiliate institution will maintain intellectual integrity and institutional control over the exhibition. In following its policy, the Office of Historic Alexandria:

1. Will retain full decision-making authority over the content and presentation of the exhibition.
2. May consult with a potential lender, while retaining the full decision-making authority, on objects to be selected from the lender's collection and the significance to be given to those objects in the exhibition.
3. Will make public the source of funding where the lender is also a funder of the exhibition. If a museum receives a request for anonymity, the Office of Historic Alexandria will avoid such anonymity where it would conceal a conflict of interest (real or perceived) or raise other ethical issues.

## **V. PROGRAMS**

The Office of Historic Alexandria serves the Alexandria community, and society at large, by advancing an understanding and appreciation of society's cultural resources through exhibition, research, scholarship, publications, and educational activities. Revenue-producing activities build financial resources. These programs further the institutions' missions and are responsive to the concerns, interests, and needs of society.

Thus, the Office of Historic Alexandria ensures that:

1. Programs support the department's mission and public trust responsibilities;
2. Exhibitions, research, publications, and educational activities are founded on scholarship and marked by intellectual integrity;
3. Exhibitions, research, scholarship, publications, and educational activities reflect the cultural context of subject matter and respect diverse and pluralistic values, traditions, and concerns;
4. Programs take special care not to dilute or ignore historical accuracy and inclusiveness for the sake of public entertainment and popularity;
5. Intellectual freedom is supported and that there is free and open exploration and interpretation of the human experience;
6. Programs do not use collections except as specifically allowed within the institution's collection policy;
7. Programs encourage participation of the widest possible audience consistent with the institution's mission, resources and accessibility;
8. Activities that involve relationships with external entities are compatible with the institution's mission and support its public trust responsibilities;
9. Revenue-producing activities are compatible with the institution's mission and support its public trust responsibility with proceeds used solely for the advancement of the institution's mission.

## **VI. DEVELOPING AND MANAGING BUSINESS SUPPORT**

The Office of Historic Alexandria recognizes that soliciting and managing of business support is crucial in support of each institution's ability to fulfill its mission.

### **Delineation of Process and Fulfillment of Obligations**

The Office of Historic Alexandria shall outline the process used to make decisions about business support. The responsibilities of the governing body and key staff should be delineated. The Office of Historic Alexandria will ensure that the human and financial resources needed to fulfill its obligations in any museum/business relationship are available.

## **Potential Conflict of Interest**

No individual may use his/her position working for, or on behalf of, the Office of Historic Alexandria for personal gain, or to benefit another at the expense of the museum or facility, its mission, its reputation, and the community it serves. The Office of Historic Alexandria or its affiliated institutions will adopt procedures to address business support opportunities in which a member of the museum's governing authority or staff may have an interest. This should be consistent with any existing conflict of interest policy. Such a policy should include an individual's obligation to disclose any interest in the museum/business relationship under consideration. In creating such a policy, the Office of Historic Alexandria will:

1. Require that the individual recuse himself/herself from any discussion and/or action regarding decisions to accept support from a business with which he/she is associated or has an interest.
2. Require that the individual's inclusion in any discussion and/or action regarding any other aspect of the project or program to be supported by that business be disclosed publicly.

## **Exclusions**

The Office of Historic Alexandria will determine whether it will exclude any business or category of business because of the business's products and/or services, taking into consideration the characteristics, values, and attitudes of its community and audience, discipline, and mission. If the Office of Historic Alexandria chooses to make exclusions, it will be prepared to state and justify its policy. In creating a policy of exclusion, the Office of Historic Alexandria will consider:

1. products and/or services provided
2. business practices
3. whether to associate certain exclusions with particular activities (e.g., children's programming)

## **Business Use of Museum Names and Logos**

The Office of Historic Alexandria will state clearly the parameters for the use of any of its names and logos. In creating such a policy, the Office of Historic Alexandria will consider:

1. the contexts in which it will permit the use of its names and logos
2. its responsibility to approve all uses of its names and logos
3. specific prohibitions on the use of its names and logos
4. conformity with its policies for protecting intellectual property (e.g., trademark, copyright)

## **Business Promotion of the Museum/Business Relationship**

A business may wish to promote its relationship with the Office of Historic Alexandria, or one of its affiliated institutions, in its marketing, advertising, and public relations activities. In creating such a policy, the Office of Historic Alexandria will consider:

1. any limits on the scope of how and extent to which a business may promote its relationship with the Office of Historic Alexandria, or one of its affiliated institutions
2. the responsibility of the department to approve any promotion of a business relationship with the Office of Historic Alexandria, or one of its affiliated institutions

## **Recognition**

The Office of Historic Alexandria will consider the range of recognition it may offer a business supporter. In doing so, it will consider:

1. the general standards for recognizing business support, such as those relating to the use, placement, size, etc., of the business's logos, names, signage, etc.
2. the standards for recognizing business support based on the level of support received

## **Exclusive Arrangements**

The Office of Historic Alexandria will consider whether or not it is willing to enter into a relationship with a business that restricts the Office of Historic Alexandria or one of its affiliated institutions from receiving support from the business's competitors and/or from using a competitor's products and services.

## **Support from a Museum Vendor**

The Office of Historic Alexandria will ensure that any current or potential relationship between the Office of Historic Alexandria, or one of its affiliated institutions, and a vendor providing goods or services is not contingent upon a contribution from the vendor.

## **Documentation**

The Office of Historic Alexandria will ensure that all museum/business relationships are a matter of record and require that all documents relating to the development of business support be maintained.

## **Application of Policy**

The Office of Historic Alexandria will identify clearly all entities, such as “Friends” groups, components of a museum system, etc., that must comply with its policies about business support.

## **Procedures for Documenting Business Support**

The Office of Historic Alexandria will establish procedures for documenting museum/business relationships. Documentation should reflect the nature and complexity of the relationship; some agreements may be documented with standard forms or form letters while others may require contractual agreements or memoranda of understanding. The department will consider developing the following components in its documentation of business support:

1. Scope of the Relationship and Term of the Agreement
2. Forms of and Parameters for Recognition of Business Support
3. Procedures for Approval for the Use and Placement of Each Party's Names and Logos
4. Parameters for Promotion by the Business of the Museum/Business Relationship
5. Parameters of Any Exclusivity – An agreement should clearly define the category, scope, and term of the exclusivity.
6. Procedures for Terminating the Agreement

The Office of Historic Alexandria will include a provision for canceling an agreement. Grounds for canceling an agreement may include:

- a. engagement of a business in an activity that is counter to the department's or affiliated institution's policy and mission
  - b. changes in the ownership of a business or changes in its products and services that is not consistent with the department's or affiliated institution's mission, standards, values, and reputation or is not in the best interest of the community the museum serves
  - c. inability of either party to carry out its responsibilities as outlined in the agreement, due to unforeseen circumstances
7. Signature Page (including date and approval by legal counsel, if required)

## **Legal, Tax, and Accounting Issues**

The Office of Historic Alexandria will be familiar with applicable legal, tax, and accounting principles before engaging in a museum/business relationship. The department or an affiliated institution will seek appropriate legal, tax, and accounting advice, as needed, when developing and managing museum/business relationships.

1. Legal – The Office of Historic Alexandria shall be aware of and comply with applicable state and local laws as well as the body of general legal principles regarding solicitation, acceptance, and use of business support, including contributions. Particular areas of attention include contract law and laws regulating charitable contributions.



2. Tax – The Office of Historic Alexandria shall be aware of and comply with applicable federal, state, and local tax laws. The department will pay particular attention to IRS corporate sponsorship regulations. The department will be aware that the structure of its institutional/business relationships might determine the taxability of the resulting income. Appropriate tax reporting of exempt and taxable income is mandatory. The department will also be aware of special tax rules that prohibit individuals or businesses from inappropriately benefiting from an institutional/business relationship, as well as the general tax rules governing charitable contributions and business support.
3. Accounting – The Office of Historic Alexandria will comply with generally accepted accounting principles relating to accounting and crediting of revenue, including contributions.
4. Public Accountability – The Office of Historic Alexandria will respond to all public and media inquiries about its support from business, including allegations of unethical behavior, with a prompt, full, and frank discussion of the issue, the department's actions, and the rationale for such actions.

The Office of Historic Alexandria will avoid agreeing to requests for anonymity where such anonymity conceals a conflict of interest, real or perceived, or raises other ethical concerns.

## **VII. DEVELOPING AND MANAGING INDIVIDUAL DONOR SUPPORT**

The Office of Historic Alexandria recognizes that soliciting and managing of individual donor support is crucial in support to each institution's ability to fulfill its mission.

### **Delineation of Process and Fulfillment of Obligations**

The Office of Historic Alexandria will outline the process used to make decisions about individual donor support. Such decisions include but are not limited to solicitation, gift acceptance, fulfillment, recognition, and public inquiry. The responsibilities of the governing body and staff should be delineated. The department will ensure that it has the necessary human and financial resources for fulfilling its obligations in any museum/donor relationship.

### **Potential Conflict of Interest**

No individual working for or on behalf of an Office of Historic Alexandria institution may use his/her position in the governing authority, department or affiliate institutions for personal gain or to benefit another at the expense of the Office of Historic Alexandria institution, its mission, its reputation, and the community it serves.

The Office of Historic Alexandria will adopt procedures to address individual donor support opportunities in which a member of the governing authority or Office of Historic Alexandria staff may have an interest. This should be consistent with any existing conflict-of-interest policy. Such a policy should include an individual's obligation to disclose any interest in the museum/donor relationship under consideration. Such disclosure does not preclude or imply ethical impropriety. In creating such a policy, the Office of Historic Alexandria will consider:

1. requiring that the individual recuse him/herself from any discussion and/or action regarding decisions to accept support from a donor with whom he/she is associated or has an interest
2. documenting the individual's role in any other aspect of the project or program supported by that donation

### **Donor Communication and Relationships**

The Office of Historic Alexandria will develop clear procedures concerning which staff and/or governing authority members are authorized to make or change agreements with individual donors. In addition, The Office of Historic Alexandria will have a clear policy concerning the level of financial, tax, and legal information it will provide to individual or potential donors, including a policy of recommending that donors consult their own legal and financial advisors.

### **Types of Individual Donor Support a Museum will Accept**

The Office of Historic Alexandria will develop a gift acceptance policy outlining the types of support it accepts from individual donors and delineating a process for determining whether or not — from a mission, operational, business, and legal perspective — to accept a gift as offered.

### **Recognition**

The Office of Historic Alexandria will consider the range of recognition it may offer an individual donor. In doing so, it may consider:

1. the general standards for recognizing individual donor support based on the level of support received
2. the standards for recognizing individual donor support, such as those relating to the use, placement, size, etc., of names, signage, etc.

### **Confidentiality**

The Office of Historic Alexandria will ensure that a relationship of trust is established and maintained with its individual donors by respecting the private nature of information about the donor and the donation. In doing so, will consider:

1. developing a system to control access to and handling of donor information
2. balancing the Office of Historic Alexandria's obligation to maintain public accountability with its obligation to protect donors' privacy by outlining what type of information can and cannot be kept confidential
3. collecting only relevant information about donors or potential donors

## **Anonymity**

The Office of Historic Alexandria will determine whether and under what circumstances it will accept anonymous gifts. An institution should avoid agreeing to requests for anonymity that conceal a conflict of interest, real or perceived, or raise other ethical concerns.

## **Uncollectable Pledges**

The Office of Historic Alexandria recognizes that instances may arise when donors cannot or do not honor a pledge. In determining the enforceability of a pledge that is not honored, the Office of Historic Alexandria will consider:

1. the legal and accounting implications
2. the overall impact of the gift on the department or affiliated institution
3. the history and previous relationship with the donor
4. the attitude of the community toward the situation

## **Documentation**

The Office of Historic Alexandria will require that all documents relating to the development of individual donor support be maintained and retained in accordance with applicable law and record retention policies.

## **Application of Policy**

The Office of Historic Alexandria will identify clearly all entities, such as “Friends” groups, voluntary organizations, components of a museum system, etc., that must comply with its policies about individual donor support.

## **Procedures for Documenting Individual Donor Support**

The Office of Historic Alexandria will establish procedures for documenting institutional/donor relationships. Documentation should reflect the nature and complexity of the relationship; some agreements may be documented with standard forms or form letters while others may require contractual agreements or memoranda of understanding. The department may consider including the following components in its documentation of individual donor support:

1. Scope of the Relationship and Term of the Agreement – The Office of Historic Alexandria and individual donor should specify the activity(ies) for which the support may be used and whether there are any time limitations to the support.
2. Forms of and Parameters for Recognition – The Office of Historic Alexandria and individual donor should agree on the manner in which the donation will be recognized. All recognition must comply with the department’s policy on recognition.

3. Contingencies in Case of Institutional or Programmatic Change – When appropriate, the Office of Historic Alexandria will consider adding a contingency plan to the scope of the support in case of institutional or programmatic changes. These plans are intended to ensure that the support can advance the future mission and goals of the department and its affiliate institutions and may specify among other things:
  - a. an acknowledgement that institutional and programmatic change may require that original scope of the support be flexible
  - b. how to make such changes in cases where the donor is deceased, heirs not available, or the estate not active
4. Procedures for Terminating the Agreement – The Office of Historic Alexandria shall consider including a cancellation provision. Grounds for canceling an agreement may include:
  - a. engagement of an individual in an activity that is counter to the department's or an affiliated institution's policy, mission, and good reputation
  - b. inability of either party to carry out its responsibilities as outlined in the agreement, due to unforeseen circumstances
5. Signature Page (including date and approval by legal counsel, if required)

### **Legal, Tax, and Accounting Issues**

The Office of Historic Alexandria will be familiar with applicable legal, tax, and accounting principles before engaging in a museum/donor relationship. The department and/or its affiliate institutions will seek appropriate legal, tax, and accounting advice, as needed, when developing and managing individual donor relationships.

1. Legal – The Office of Historic Alexandria will be aware of and comply with applicable state and local laws as well as the body of general legal principles regarding solicitation, acceptance, and use of individual donor support. Particular areas of attention include contract law and laws regulating charitable contributions.
2. Tax – The Office of Historic Alexandria will be aware of and comply with applicable federal, state, and local tax laws. The department also will be aware of special tax laws and rules that prohibit individuals from inappropriately benefiting from a contributory or other voluntary support relationship.
3. Accounting – The Office of Historic Alexandria will comply with generally accepted accounting principles relating to accounting and crediting of revenue (including contributions) in accordance with FASB or GASB. In addition, the Office of Historic Alexandria and/or its affiliate institutions should report fundraising results in a consistent manner, using standards for campaign reporting.

4. Public Accountability – The Office of Historic Alexandria and/or its affiliated institutions will respond to all public and media inquiries about its support from individual donors, including allegations of unethical behavior, with a prompt, full, and frank discussion of the issue, the institution's actions, and the rationale for such actions.

## **ETHICAL GUIDELINES FOR VOLUNTEERS IN THE OFFICE OF HISTORIC ALEXANDRIA**

Office of Historic Alexandria acknowledges the valuable contribution it receives through the interest, time, and experience given by volunteers who serve its various divisions. Because of the nature and extent of involvement of volunteers in the Office of Historic Alexandria's activities, standards of conduct are set herewith to define the responsibilities and obligations of this volunteer service.

These general rules apply to all divisions within the Office of Historic Alexandria, each of which may have more specific guidelines tailored to their individual collections programs. These standards are consistent with those of the City of Alexandria.

Volunteers often function in an important public relations capacity, providing a variety of services on behalf of the institution and the City of Alexandria. As such, they should be aware that their presence and presentation may be the first and only impression that a visitor receives of the City of Alexandria as well as of their institution.

Volunteers carry out assignments in good spirit and seek the assistance of staff in situations requiring special guidance.

Volunteers represent the institution only when specifically appointed by the director of the institution. All questions from the media or from visitors concerning programs and policies should be directed to the institution's staff.

Volunteer service shall be undertaken for the betterment of the community, personal reward and the satisfaction derived from such participation. A volunteer may not accept compensation for performance of tasks as a volunteer. Personal compensation includes money or any other thing of value.

Volunteers who have access to museum collections, public records, research staff activities, and associated privileged information should help preserve the security and integrity of the collections and public records.

I agree to abide by the Office of Historic Alexandria's Ethical Guidelines as it applies to

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Signature\_\_\_\_\_

Date\_\_\_\_\_

Adapted from the guidelines from the Smithsonian Institution